

SCOTT BURESH (BAR NO. 70319)
 RAMON M. GONZALES (BAR NO. 220891)
 BURESH, KAPLAN, JANG & FELLER
 2298 Durant Avenue
 Berkeley, CA 94704
 Telephone: (510) 548-7474; Facsimile: (510) 548-7488
 rgonzalez@bkj.com
 J. ROBERT CHAMBERS (*Pro Hac Vice*)
 THEODORE R. REMAKLUS (*Pro Hac Vice*)
 BEVERLY A. LYMAN (*Pro Hac Vice*)
 P. ANDREW BLATT (*Pro Hac Vice*)
 WOOD, HERRON & EVANS, LLP
 2700 Carew Tower
 441 Vine Street
 Cincinnati, OH 45202-2917
 Telephone: (513) 241-2324; Facsimile: (513) 241-7269
 bchambers@whepatent.com
 Attorneys for Plaintiff/Counterdefendant THERMAGE, INC.

CHARLES S. BARQUIST (SBN 133785)
 ANTHONY L. PRESS (SBN 125027)
 MORRISON & FOERSTER LLP
 555 West Fifth Street, Suite 3500
 Los Angeles, California 90013-1024
 Telephone: (213) 892-5200; Facsimile: (213) 892-5454
 apress@mofo.com
 JILL D. NEIMAN (SBN 164702)
 MORRISON & FOERSTER LLP
 425 Market Street
 San Francisco, California 94105-2482
 Telephone: (415) 268-7000; Facsimile: (415) 268-7522
 jneiman@mofo.com
 Attorneys for Defendants/Counterclaimants
 SYNERON MEDICAL LTD. and SYNERON INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THERMAGE, INC.,
 Plaintiff,

v.

SYNERON MEDICAL LTD. and
 SYNERON INC.,
 Defendants.

AND RELATED COUNTERCLAIMS

Case No. C-04-2995-CRB

JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER REGARDING
 DISMISSAL WITH PREJUDICE

Honorable Charles R. Breyer

1 Dated: June 8, 2005

MORRISON & FOERSTER LLP

2 By: /S/

3 Jill D. Neiman

4 *Attorneys for Defendants/Counterclaimants*
5 *SYNERON MEDICAL LTD. and SYNERON INC.*

6
7 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
8 “conformed” signature (/S/) within this e-filed document.
9

10 Dated: June 8, 2005

MORRISON & FOERSTER LLP

11
12 By: /S/

13 Jill D. Neiman

~~[PROPOSED]~~ ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, IT HEREBY ORDERED THAT this entire action is dismissed with prejudice as follows:

1. Thermage's claims regarding the alleged infringement of U.S. Patent Nos. 5,755,753, 5,919,219, 5,948,011, 6,405,090, 6,377,855 and 6,749,624 are dismissed with prejudice in their entirety;

2. Syneron's counterclaims regarding the alleged noninfringement and invalidity of U.S. Patent Nos. 5,755,753, 5,919,219, 5,948,011, 6,405,090, 6,377,855 and 6,749,624 and Syneron's counterclaim regarding the alleged unenforceability of U.S. Patent No. 6,749,624 are dismissed with prejudice in their entirety;

3. Syneron's counterclaim regarding the alleged infringement of U.S. Patent No. 5,569,242 is dismissed with prejudice in its entirety;

4. Thermage's counterclaim-in-reply regarding the alleged noninfringement, invalidity and unenforceability of U.S. Patent No. 5,569,242 is dismissed with prejudice in its entirety;

5. Each party shall bear its own attorney's fees and costs.

Dated: June 09, 2005

Charles R. Breyer
United States District Judge

